

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

BRIAN W. JONES,

Plaintiff,

vs.

METAL PANELS, INC.,

Defendant.

**8:19CV418**

**AMENDED FINAL  
PROGRESSION ORDER**

**THIS MATTER** is before the Court on the parties' Unopposed Motion to Extend Deadlines in Final Progression Order. ([Filing No. 15](#)). A telephone conference with the parties was held on March 25, 2020 and the motion is granted. Accordingly,

**IT IS ORDERED** that the provisions of the Court's earlier final progression order remain in effect, and in addition to those provisions, the following shall apply:

- 1) The telephone conference presently scheduled for **July 14, 2020 is canceled**. A telephonic conference **to discuss the status of case progression, trial and pretrial conference settings** will be held with the undersigned magistrate judge on **October 19, 2020 at 10:00 a.m.** Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 2) The deadline for completing written discovery under Rules 33, 34, and 36 of the Federal Rules of Civil Procedure is **June 15, 2020**. Motions to compel discovery under Rules 33, 34, and 36 must be filed by **June 30, 2020**.

**Note:** A motion to compel, to quash, or for a disputed protective order shall not be filed without first contacting the chambers of the undersigned magistrate judge to set a conference for discussing the parties' dispute.

- 3) The deadlines for identifying expert witnesses expected to testify at the trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the plaintiff(s):

**July 13, 2020**

For the defendant(s):

**July 27, 2020**

- 4) The deadlines for complete expert disclosures<sup>1</sup> for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the plaintiff(s):	<b>August 12, 2020</b>
For the defendant(s):	<b>September 29, 2020</b>

- 5) The deposition deadline is **November 2, 2020**.
- a. The maximum number of depositions that may be taken by the plaintiffs as a group and the defendants as a group will be limited by Rule 30(d)(1).
- 6) The deadline for filing motions to dismiss and motions for summary judgment is **November 19, 2020**.
- 7) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is **November 9, 2020**.
- 8) Motions in limine shall be filed seven days before the pretrial conference. It is not the normal practice to hold hearings on motions in limine or to rule on them prior to the first day of trial. Counsel should plan accordingly.
- 9) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 10) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge, including all requests for changes of trial dates. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 25<sup>th</sup> day of March, 2020.

BY THE COURT:

s/ Susan M. Bazis  
United States Magistrate Judge

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<sup>1</sup> While treating medical and mental health care providers are generally not considered “specially retained experts,” not all their opinions relate to the care and treatment of a patient. Their opinion testimony is limited to what is stated within their treatment documentation. As to each such expert, any opinions which are not stated within that expert’s treatment records and reports must be separately and timely disclosed.